

Application No. 10/787,177
Amendment dated June 30, 2005
Reply to Office Action of April 15, 2005

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REMARKS/ARGUMENTS

The Examiner's thoroughness in reviewing the application and indicating allowable subject matter is greatly appreciated.

The claims of the application have been amended to overcome the objections under 35 U.S.C. 112(2) as being indefinite. In particular, claim 1 has been rewritten to overcome the objections with respect to the term "said elongate body" which is now properly referred to as --said elongate body member--.

Claim 2 in the application has been amended to further define the relationship between the two fingers and now defines these fingers as an outer finger and an inner finger.

Former claim 3 has been rewritten in independent format and the indefinite rejections have now been addressed. In light of this it is believed claims 3 through 7 are all allowable.

Claims 8 through 10 have now been amended and refer to a scaffolding system. In addition, the objections under 35 U.S.C. 112(2) have been addressed. As no objections were raised with respect to claims 8 through 10 with respect to prior art, it is believed these claims are all allowable.

Claim 1 in the application was rejected in light of United States Patent 3,606,028 Klein. This patent teaches a particular connector provided at the end of a rail type member where two of these members form a saddle type structure about the post of a rack system. Each connector requires an L-type configuration with a pair of fingers on each arm of the "L". In a rack system, all posts are positioned in the same spacing and

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there is no requirement for elongate members to be connected in an end to end fashion.

As noted in the present disclosure on page 5, lines 23 through 36, the two fingers of each connector are designed for longitudinal connection using the outer most fingers and is designed for a corner type connection using the inner fingers. The outer most finger connection allows additional length as the connectors effectively extend over a intermediate post.

Amended claim 1 is believed to fully distinguish over the cited United States Patent. In particular, the connector of the cited patent includes two arms with finger connections at each end of the arms and if these were placed in an end to end manner as required according to some embodiments of the present invention, the fingers of the reference which are perpendicular to the longitudinal axis of the frame members would create a hazard as opposed to a safety toeboard screen as required in the present case. As the Examiner can appreciate the perpendicular extending arms of the connectors would extend into the work space above the work platform and create a hazard. Furthermore, there is no teaching or suggestion in the prior art reference of having the two fingers spaced in the length of the elongate body member as specifically required in the amended claims.

In view of the amendments with respect to claims 1 and 2, and the rewriting of claim 3 in independent format, it is believed that all claims are now allowable.

Respectfully submitted,


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